

**CENTRAL ELECTRICITY REGULATORY COMMISSION
New Delhi**

RECORD OF PROCEEDINGS

Petition No. 163/2008

Subject: Accumulation of dues-Seeking Commission's intervention and direction for TNEB to clear the income tax dues and excess rebate availed.

Date of hearing: 7.12.2010

Coram: Dr.Pramod Deo, Chairperson
Shri V.S.Verma, Member
Shri M.Deena Dayalan, Member

Petitioner: NLC

Respondent: TNEB

Parties present: (1) Shri. N.A.K.Sarma, Advocate, NLC
(2) Shri. N.Rathinasabapathy, NLC
(3) Shri P.H.Parekh, Sr. Advocate, TNEB
(4) Shri E.R.Kumar, Advocate, TNEB
(5) Shri Shweta Sharma, Advocate, TNEB
(6) Shri Debojyoti Bhattacharya, Advocate, TNEB
(7) Shri Jameel Basha, TNEB
(8) Ms. Maheshwari Bai, TNEB

In terms of the directions contained in the judgment dated 10.9.2010 of the Appellate Tribunal for Electricity in Appeal No.49/2010, this petition was listed for hearing today, on the issue of refund of excess rebate availed by TNEB to NLC.

2. During the hearing, the learned counsel of the petitioner submitted that in terms of the directions contained in the order dated 7.10.2010 in Petition No.47/2010 (NLC-v-TNEB) both the parties have filed written submissions. He also added that since no directions were issued to the parties to file its comments on the written submissions of the other, the issues raised by TNEB could not be adequately dealt by it in its written submissions.

3. The learned counsel for the respondent agreed with the above submissions and clarified that it had not received the written submissions filed by the petitioner in the matter. He further submitted that the petitioner may be directed to serve copy of its written submissions and prayed that it may be granted some time to file its comments.

4. The learned counsel for the petitioner prayed that it may also be granted some time to file its comments on the written submissions made by the respondent.

5. The prayer made by the learned counsels for the parties was accepted. The parties are directed to serve copies of their respective written submissions to the other, by 14.12.2010, if not already done. The parties are also directed to file their comments on affidavit, thereafter, within 27.12.2010.

6. Matter to be re-notified for hearing on 11.1.2011.

Sd/-
(Dr. N.C.Mahapatra)
Chief Advisor (Law)